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10 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 BRIAN HEBERT,

12 Plaintiff,

13 vs.

14 THE LITIGATION DOCUMENT GROUP,
15 INC., *et al.*,

16 Defendants.

Case No.: 2:17-cv-01536-KJD-CWH

17
18 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**
19 **FOR FOURTEEN (14) DAYS**
(Second First Request)

20 Pursuant to LR 26-4, the Parties hereto, by and through their attorneys of record,
21 respectfully submit their Stipulation and Order to extend the discovery and related deadlines
22 two (2) weeks. In support of this stipulation, the parties submit the following:

23 A. Discovery completed to date:

24 The undersigned counsel for Plaintiff did not appear in this case until October 17,
25 2017. The parties held their previously scheduled Rule 26(f) conference on October 23,
26 2017, and the Court entered the Scheduling Order (ECF No. 31) on December 20, 2017. The
27 parties served their Initial Disclosures of documents. However, the Early Neutral Evaluation
28 ("ENE"), originally scheduled for October 24, 2017 was postponed multiple times, initially

1 due to a family emergency and multiple times since for scheduling conflicts. The ENE did
2 not take place until January 29, 2018. During the time, the parties did not engage in formal
3 discovery.

4 B. Discovery remaining to be completed:

5 The parties anticipate taking the deposition of the following witnesses:

6 Brian Hebert

7 Craig Renard

8 Laury Stoeser

9 Discovery is currently scheduled to close on May 11, 2018. The scheduling order, as
10 amended, includes two (2) deadlines relative to the close of discovery.

11 The last date to file dispositive motions is June 12, 2018.

12 The last date to file the joint pretrial order is July 10, 2018.

13 C. Reasons why the existing deadlines cannot be satisfied.

14 As a result of the scheduling conflicts, the ENE was not conducted until January 29,
15 2018. During this time, the parties did not take the anticipated depositions in an effort to
16 minimize legal fees and expenses. Following the conclusion of the ENE, the counsel for the
17 parties have been in communication several times regarding the scheduling of the above
18 depositions. As the discovery deadline approached, counsel for Plaintiff unilaterally
19 scheduled the depositions of Craig Renard and Laury Stoeser for May 10, 2018 prior to the
20 close of discovery. However, since scheduling the depositions, the parties have been advised
21 that Mr. Renard is out of town and unavailable until May 18, 2018. The parties have agreed
22 to continue the depositions to that date.

23 D. Good cause exists for requesting the extension.

24 Pursuant to LR 26-4, a stipulation to extend a deadline set forth in a discovery plan
25 made within 21 days of the subject deadline must be supported by a showing of good cause.
26 As set forth above, the parties did not learn of Mr. Renard's unavailability until early May
27 2018, which was within 21 days of the subject deadline. Since the parties did not know of
28 this scheduling conflict, good cause exists for the short two (2) week extension.

1 E. Proposed schedule for remaining deadlines:

2 1. Last date to complete discovery: Discovery is currently scheduled to
3 close on May 11, 2018. The parties stipulate to extend the discovery deadline for two (2)
4 weeks to **May 25, 2018**.

5 2. Last date to file dispositive motions: The deadline to file dispositive
6 motions is currently scheduled for June 12, 2018. The parties stipulate to extend the deadline
7 to file dispositive motions for two (2) weeks to **June 26, 2018**.

8 3. Last day to file joint pretrial order: The deadline to file the joint
9 pretrial order is currently scheduled for July 10, 2018. The parties stipulate to extend the
10 deadline to file the joint pretrial memorandum for two (2) weeks to **July 24, 2018**.

11 **IT IS SO STIPULATED.**

12
13 Dated this 9th day of May, 2018.

Dated this 9th day of May, 2018.

14 MUSHKIN CICA COPPEDGE

LEAH MARTIN LAW

15
16 /s/ L. Joe Coppedge

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Attorneys for Defendants

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25 IT IS SO ORDERED.

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27 
UNITED STATES MAGISTRATE JUDGE

28 DATED: May 11, 2018